

WEDNESDAY, JUNE 14, 2000
NINETY-FIRST LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Patton.

Representative Patton led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bowers; family death.

Representative Fitzhugh; personal reasons.

Representative McDonald; personal reasons.

Representative Phillips; business reasons.

MESSAGE FROM THE GOVERNOR

June 14, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 374, 499, 800, 802, 803, 804, 805, 806, 808, 810, 811, 812, 813, 814, 816, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 845 and 846, with his approval.

MICHELLE LONG, Counsel to the Governor.

ENROLLED BILLS

June 14, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1059, 1180, 1326, 2025, 2117, 2171, 2319, 2400, 2462, 2584, 2618, 2652, 2834, 2835, 2854, 2855, 2862, 3004, 3018, 3025, 3027, 3049, 3081, 3295, 3332, 3334, 3348, 3359; House Joint Resolution(s) No(s). 848, 852; also, House Resolution(s) No(s). 282.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 14, 2000

The Speaker signed the following: House Bill(s) No(s). 1059, 1180, 1326, 2025, 2117, 2171, 2319, 2400, 2462, 2584, 2618, 2652, 2834, 2835, 2854, 2855, 2862, 3004, 3018, 3025, 3027, 3049, 3081, 3295, 3332, 3334, 3348, 3359; House Joint Resolution(s) No(s). 848, 852; also, House Resolution(s) No(s). 282.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 14, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1059, 1180, 1326, 2025, 2117, 2171, 2319, 2400, 2462, 2584, 2618, 2652, 2834, 2835, 2854, 2855, 2862, 3004, 3018, 3025, 3027, 3049, 3081, 3295, 3332, 3334, 3348, 3359; also, House Joint Resolution(s) No(s). 848 and 852; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

June 14, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1059, 1180, 1326, 2025, 2117, 2171, 2319, 2400, 2462, 2584, 2618, 2652, 2834, 2835, 2854, 2855, 2862, 3004, 3018, 3025, 3027, 3049, 3081, 3295, 3332, 3334, 3348, 3359; also, House Joint Resolution(s) No(s). 848 and 852.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 14, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1269, 2045, 2082, 2598, 2612, 3081; also, Senate Joint Resolution(s) No(s). 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923, 924, 925, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 951 and 952 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

June 14, 2000

The Speaker signed the following: Senate Bill(s) No(s). 1269, 2045, 2082, 2598, 2612, 3081; also, Senate Joint Resolution(s) No(s). 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923, 924, 925, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 951 and 952.

ENROLLED BILLS

June 14, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2012, 2123, 2179, 2296, 2891, 2984, 3040, 3058, 3066, 3094, 3109, 3123, 3143, 3319, 3360 and 3362.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 14, 2000

The Speaker signed the following: House Bill(s) No(s). 2012, 2123, 2179, 2296, 2891, 2984, 3040, 3058, 3066, 3094, 3109, 3123, 3143, 3319, 3360 and 3362.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 14, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2012, 2123, 2179, 2296, 2891, 2984, 3040, 3058, 3066, 3094, 3109, 3123, 3143, 3319, 3360 and 3362; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

WEDNESDAY, JUNE 14, 2000 – NINETY-FIRST LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK
June 14, 2000

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2012, 2123, 2179, 2296, 2891, 2984, 3040, 3058, 3066, 3094, 3109, 3123, 3143, 3319, 3360 and 3362.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
June 14, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1192, 2297, 2759, 3118, 3349, 3357, also, House Joint Resolution(s) No(s). 589 and 743; with his approval.

MICHELLE LONG, Counsel to the Governor.

ENROLLED BILLS
June 14, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2441, 2591; House Joint Resolution(s) No(s). 850, 851, 853, 858; also, House Resolution(s) No(s). 284 and 285.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
June 14, 2000

The Speaker signed the following: House Bill(s) No(s). 2441, 2591; House Joint Resolution(s) No(s). 850, 851, 853, 858; also, House Resolution(s) No(s). 284 and 285.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
June 14, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2441, 2591; also, House Joint Resolution(s) No(s). 850, 851, 853 and 858; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
June 14, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2441, 2591; also, House Joint Resolution(s) No(s). 850, 851, 853 and 858.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 14, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 908, 1322, 2745, 2755; also, Senate Joint Resolution(s) No(s). 922, 940, 941, 942, 943, 944, 945, 947, 948, 949, 950 and 953 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

June 14, 2000

The Speaker signed the following: Senate Bill(s) No(s). 908, 1322, 2745, 2755; also, Senate Joint Resolution(s) No(s). 922, 940, 941, 942, 943, 944, 945, 947, 948, 949, 950 and 953.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Kerr was recognized in the Well to introduce members of the sister-state program between Kaluga Region of Russia and Tennessee for remarks.

RULES SUSPENDED

Rep. Kerr moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 847 out of order, which motion prevailed.

***House Joint Resolution No. 847** -- General Assembly, Statement of Intent or Position - Expresses support for development of sister-state program between Kaluga Region of Russia and Tennessee. by *Kerr, *Newton, *Baird.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kerr, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 15, 2000:

House Resolution No. 287 -- Memorials, Retirement - Criss Terry Caywood. by *Bunch.

House Resolution No. 288 -- Memorials, Death - Coach Dorsey Sims. by *Brooks.

House Joint Resolution No. 870 -- Memorials, Personal Occasion - John and Britt Gibson, 70th Wedding Anniversary. by *McDaniel.

CONSENT CALENDAR

House Resolution No. 286 -- Memorials, Recognition - Erin Lucas. by *Williams (Williamson).

House Bill No. 3361 -- Dickson - Subject to local approval, rewrites charter. Amends Chapter 274 of the Private Acts of 1925. by *Jackson. (SB3344 by *Springer, J)

On motion, House Bill No. 3361 was made to conform with **Senate Bill No. 3344**; the Senate Bill was substituted for the House Bill.

Senate Joint Resolution No. 955 -- Memorials, Death - David Kipp. by *Haynes.

Senate Joint Resolution No. 958 -- Memorials, Personal Occasion - Louis Frederick Vossell, Sr., 80th Birthday. by *Burks.

Pursuant to **Rule No. 50**, Rep. Ridgeway moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	92
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 92.

A motion to reconsider was tabled.

RULES SUSPENDED

On motion of Rep. Kisber, the rules were suspended to allow the following bills to be introduced and passed first consideration:

***House Bill No. 3367** -- Public Funds and Financing - Increases taxes and fees. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 13; Title 16; Title 17; Title 29; Title 30; Title 40; Title 54; Title 55; Title 57; Title 59; Title 67 and Title 68. by *Kisber.

REGULAR CALENDAR

***House Joint Resolution No. 854** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple; authorizes other income per annum above such amounts to be tax in manner provided by law; requires 3/5 vote to raise rate, increase or decrease amount or approve exemptions, deductions or credits on such other income. by *Buck, *Ridgeway, *Newton, *Fraley.

Further consideration of House Joint Resolution No. 854 previously considered on June 12, 2000 and June 13, 2000, at which time it was read for the second constitutional reading and reset for today's Calendar.

***House Joint Resolution No. 855** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple; authorizes other income per annum above such amounts to be tax in manner provided by law; requires 3/5 vote to raise rate, or approve exemptions, deductions or credits on such other income. by *Buck, *Newton, *Ridgeway, *Fraley.

Further consideration of House Joint Resolution No. 855 previously considered on June 12, 2000 and June 13, 2000, at which time it was read for the second constitutional reading and reset for today's Calendar.

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***House Joint Resolution No. 856** -- Constitutional Amendments - Prohibits General Assembly from taxing first \$100,000 of individual's income and first \$200,000 of married couple's income. by *Buck, *Ridgeway, *Newton, *McKee.

Further consideration of House Joint Resolution No. 856 previously considered on June 12, 2000 and June 13, 2000, at which time it was read for the second constitutional reading and reset for today's Calendar.

Rep. Buck moved that House Joint Resolution(s) No(s). 854, 855 and 856 be reset for the Regular Calendar on June 27, 2000, which motion prevailed.

***House Joint Resolution No. 859** -- Constitutional Amendments - Prohibits general assembly from taxing first \$100,000 of income per annum of individual or first \$200,000 per annum of married couple unless general assembly within same annual session also reduces state sales tax in amount at least sufficient to offset amount of revenue generated by levy of such tax. by *Brown, *Head, *Brooks.

Further consideration of House Joint Resolution No. 859 previously considered on June 12, 2000 and June 13, 2000, at which time it was read for the second constitutional reading and reset for today's Calendar.

Rep. Brown moved that House Joint Resolution No. 859 be reset for the Regular Calendar on June 27, 2000, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 2889 -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Person, *Kyle. (*HB2111 by *Buck)

On motion, Senate Bill No. 2889 was reset for the Message Calendar on June 15, 2000, which motion prevailed.

SPECIAL ORDER

House Bill No. 2885 -- Taxes, Privilege - Redirects certain real estate transfer tax revenue to state parks system rather than local parks land acquisition fund and state lands acquisition fund. Amends TCA Section 67-4-409. by *Rinks, *Ridgeway, *Gunnels, *McMillan, *Baird. (*SB3003 by *Cooper, *Burchett, *Burks, *Davis L, *Graves, *Kyle, *Kurita, *McNally, *Williams)

Representative Rinks moved that the Speaker appoint additional members to Committee of the House meeting with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2885, which motion prevailed.

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The Speaker appointed Representatives Ridgeway and Walker as the additional House members of the Conference Committee on House Bill No. 2885.

RECOGNITION IN THE WELL

Rep. McDaniel was recognized in the Well to honor and congratulate Rep. Doug Gunnels on his retirement from the House of Representatives.

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 869 out of order, which motion prevailed.

House Joint Resolution No. 869 -- Memorials, Retirement - State Representative Douglas E. Gunnels. by *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDaniel, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

ENGROSSED BILLS June 14, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 847.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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ENROLLED BILLS

June 14, 2000

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 286; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 14, 2000

The Speaker signed the following: House Resolution(s) No(s). 286.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

June 14, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1512, also, House Joint Resolution(s) No(s). 858; with his approval.

MICHELLE LONG, Counsel to the Governor.

ENGROSSED BILLS

June 14, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 869.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 12:00 noon, Thursday, June 15, 2000.